

A.G. Contract No.: KR04-0105TRN
ADOT ECS File No.: JPA 03-110
Amendment One
Project: Agua Fria Freeway (SR 101L)
Section: Maryland Avenue
TRACS Nos.: H6493 01L / H6493 01D
BUDGET SOURCE ITEM # City Funds
City Clerk Number:

**AMENDMENT ONE
INTERGOVERNMENTAL AGREEMENT**

BETWEEN
THE STATE OF ARIZONA
AND
THE CITY OF GLENDALE

THIS AGREEMENT is entered into August 5, 2004, Amendment One to JPA 03-110, AG Contract No.: KR04-0105TRN, filed with the Secretary of State under No. 26697 pursuant to Arizona Revised Statutes, Sections 11-951 through 11-954, as amended, between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION (the "State") and the CITY OF GLENDALE, acting by and through its CITY MANAGER (the "City").

I. RECITALS

1. The State is empowered by Arizona Revised Statutes Section 28-401 to enter into this Agreement and has delegated to the undersigned the authority to execute this Agreement on behalf of the State.

2. The City is empowered by Arizona Revised Statutes Section 48-572 and City Charter, Article 1, Section 3 to enter into this Agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this Agreement and has authorized the undersigned to execute this Agreement on behalf of the City.

The purpose of this Amendment is to include the final design for an estimated amount of \$625,000.00 to be funded by the City, for the Maryland Avenue Overpass, per paragraph II.1. g and II. 2. e in Scope of Work of the original Agreement.

THEREFORE, in consideration of the mutual Agreements expressed herein, it is agreed as follows:

#01
NO. 26697
Filed with the Secretary of State
Date Filed: 08/05/04
Janice Brewer
Secretary of State

By: Darryl D. Gaenewald

II. SCOPE OF WORK

1. The State will:

Paragraph II. 1. g. is deleted in full and replaced with the following:

g. Upon approval of the documents by the State, amend this Agreement to include the final design costs, to be funded by the City (as shown on Exhibit B), for the development of the construction documents to add the new features.

2. The City will:

Paragraph II. 2. e. is deleted in full and replaced with the following:

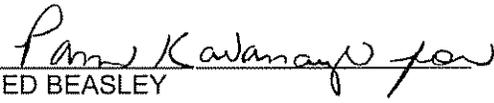
e. Upon approval by the State of the documents, and with the coordination with the State, amend this Agreement to allow for City funding of the final design efforts necessary for a construction project to add the new features to the SR 101L Agua Fria Freeway.

EXCEPT AS AMENDED herein, ALL OTHER terms and conditions of the original Agreement remain in full force and effect.

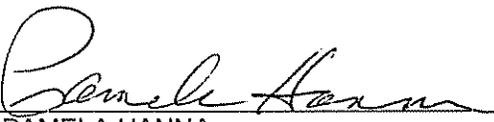
IN WITNESS WHEREOF, the parties have executed this Agreement the day and year first above written.

CITY OF GLENDALE, a Municipal Corporation

STATE OF ARIZONA
Department of Transportation

By 
ED BEASLEY
City Manager

By 
DANIEL S. LANCE, P.E.
Deputy State Engineer

By 
PAMELA HANNA
City Clerk

**Exhibit B
(JPA 03-110)
Amendment**

**SR 101L, Maryland Ave Bridge and Cross Road
Final Design Cost Estimate**

Engineering/Design H 6493 01D	\$600,000.00
ADOT Administration (Fixed cost)	
H 6493 S1D	\$ 15,000.00
H 6493 K1D	\$ 10,000.00
Total Estimated Costs	\$625,000.00

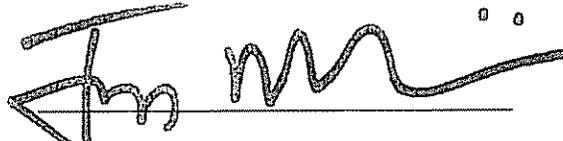
JPA 03-110

Amendment One

APPROVAL OF THE CITY OF GLENDALE ATTORNEY

I have reviewed the above referenced proposed intergovernmental agreement, between the DEPARTMENT OF TRANSPORTATION, TRANSPORTATION PLANNING DIVISION, and CITY OF GLENDALE and declare this agreement to be in proper form and within the powers and authority granted to the City under the laws of the State of Arizona. No opinion is expressed as to the authority of the State to enter into this agreement.

DATED this 13th day of July, 2004



City Attorney



OFFICE OF THE ATTORNEY GENERAL
STATE OF ARIZONA

CIVIL DIVISION
TRANSPORTATION SECTION
WRITER'S DIRECT LINE: 602.542.8855

TERRY GODDARD
ATTORNEY GENERAL

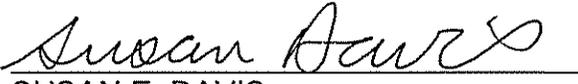
INTERGOVERNMENTAL AGREEMENT
DETERMINATION

A.G. Contract No. KR04-0105TRN (**JPA 03-110, Amendment One**), an Agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the Undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining Parties, other than the State or its agencies, to enter into said Agreement.

DATED: July 29, 2004

TERRY GODDARD
Attorney General


SUSAN E. DAVIS
Assistant Attorney General
Transportation Section

SED/mjf
Attachment
857424